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referred or transmitted to committee.

Chief Clerk of the House

FILED FEB 26 2003

By:



H.J.R. No. 59

A JOINT RESOLUTION

1 proposing a constitutional amendment authorizing the legislature  
2 to permit a person to assume an office of a political subdivision  
3 without an election if the person is the only candidate to qualify  
4 in an election for that office.

5 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Article XVI, Texas Constitution, is amended by  
7 adding Section 13A to read as follows:

8 Sec. 13A. For an office of a political subdivision for which  
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15 The ballot shall be printed to permit voting for or against the  
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By: \_\_\_\_\_



H.J.R. No. 59

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**HOUSE**  
**COMMITTEE REPORT**  
**1<sup>st</sup> Printing**

03 APR 17 AM 9:04  
HOUSE OF REPRESENTATIVES

By: Uresti

H.J.R. No. 59

A JOINT RESOLUTION

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COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

4/16/03  
(date)

Sir:

We, your COMMITTEE ON ELECTIONS  
to whom was referred HJR 59 have had the same under consideration and beg to report  
back with the recommendation that it

☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

☒ yes ☐ no A fiscal note was requested.  
☐ yes ☒ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.

☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Denny, Chair	✓			
Howard, Vice-chair	✓			
Bohac	✓			
Coleman	✓			
Deshotel				✓
Harper-Brown	✓			
Uresti	✓			

Total

6 aye  
0 nay  
0 present, not voting  
1 absent

Mary Denny  
CHAIR

## **BILL ANALYSIS**

H.J.R. 59  
By: Uresti  
Elections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Under current law, the names of uncontested candidates are required to appear on general and special election ballots. This can result in unnecessarily lengthy ballots. For example, the November 2002 general election ballot for Bexar County contained 29 uncontested races, which represented 58% of the races on the ballot. Including these uncontested races adds to the length and cost for the ballot, requires additional time for counting the ballots, and complicates the preparation process for conducting the election. HJR 59 provides for an amendment to the constitution allowing for the omission of unopposed candidates for local office from the ballot.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HJR 59 amends the Texas Constitution by authorizing the legislature, for an office of a political subdivision for which the constitution requires an election, to provide by general law for a person to assume the office without an election if the person is the only candidate to qualify in an election to be held for that office.

### **FOR ELECTION**

November 4, 2003.

SUMMARY OF COMMITTEE ACTION

HJR 59

April 2, 2003                      2:00PM      or upon final adjourn./recess  
\_\_\_\_\_  
Considered in public hearing  
Left pending in committee

April 16, 2003                                      upon final adjourn./recess  
\_\_\_\_\_  
Considered in formal meeting  
Reported favorably without amendment(s)

1

2

WITNESS LIST

HJR 59  
HOUSE COMMITTEE REPORT  
Elections Committee

April 2, 2003 - 2:00PM or upon final adjourn./recess

Registering, but not testifying:

For: Mitchell, Seth (Bexar County Commissioners Court)  
On: H. Winn, Elizabeth (Secretary of State)  
Lewis, Jesse (Republican Party of Texas)

3

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**April 1, 2003**

**TO:** Honorable Mary Denny, Chair, House Committee on Elections

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR59** by Uresti (Proposing a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.), **As Introduced**

**No fiscal implication to the State is anticipated**, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

This bill proposes a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated. Denton county reported that there would be minimal savings to local election offices for printing and programming costs due to smaller ballots. Larger savings could be possible if a county were to cancel an entire election, but this occurrence is extremely rare. Fort Bend County reported that municipalities, school districts, and other local governmental entities in that county commonly cancel their elections if there are no contested races. Bexar and Victoria counties reported no significant fiscal impact.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JK, GO, JF, KG



# HOUSE ENGROSSMENT

By: Uresti

F  
H.J.R. No. 59

## A JOINT RESOLUTION

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**LEGISLATIVE BUDGET BOARD**

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**Source Agencies:** 307 Secretary of State

**LBB Staff:** JK, GO, JF, KG

1-1 By: Uresti (Senate Sponsor - Van de Putte) H.J.R. No. 59  
1-2 (In the Senate - Received from the House May 2, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on State  
1-4 Affairs; May 20, 2003, reported favorably by the following vote:  
1-5 Yeas 8, Nays 0; May 20, 2003, sent to printer.)

1-6 HOUSE JOINT RESOLUTION

1-7 proposing a constitutional amendment authorizing the legislature  
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1-24 subdivision without an election if the person is the only candidate  
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1-26 \* \* \* \* \*

FAVORABLE  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR (HJR) 59  
By Musti / Van de Putte  
(Author/Senate Sponsor)  
5-20-03  
(date)

We, your Committee on STATE AFFAIRS, to which was referred the attached measure,  
have on 5-19-03, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

- ☒ do pass and be printed  
☐ do pass and be ordered not printed  
☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☐ yes ☐ no

An actuarial analysis was requested. ☐ yes ☐ no

Considered by subcommittee. ☐ yes ☐ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator William R. Ratliff, Chair	<input checked="" type="checkbox"/>			
Senator Todd Staples, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Ken Armbrister	<input checked="" type="checkbox"/>			
Senator Robert Duncan			<input checked="" type="checkbox"/>	
Senator Rodney Ellis	<input checked="" type="checkbox"/>			
Senator Troy Fraser	<input checked="" type="checkbox"/>			
Senator Chris Harris	<input checked="" type="checkbox"/>			
Senator Frank Madla	<input checked="" type="checkbox"/>			
Senator Jane Nelson	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>8</u>	<u>0</u>	<u>1</u>	<u>0</u>

COMMITTEE ACTION

(S260) Considered in public hearing

S270 Testimony taken

Henry Bracken  
COMMITTEE CLERK

Ratliff  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

WITNESS LIST

HJR 59

SENATE COMMITTEE REPORT

State Affairs

May 19, 2003 - 8:00AM

Registering, but not testifying:

FOR: Warndof, Donna (Bexar County Commissioners Court), Austin, TX

ON: McGeehan, Ann (SOS), Austin, TX

## **BILL ANALYSIS**

Senate Research Center  
78R3022 ATP-D

H.J.R. 59  
By: Uresti (Van de Putte)  
State Affairs  
5/14/2003  
Engrossed

### **DIGEST AND PURPOSE**

H.J.R. 59 requires the submission to the voters of a constitutional amendment to authorize the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article XVI, Texas Constitution, by adding Section 13A, as follows:

Sec. 13A. Authorizes the legislature to provide by general law for a person to assume an office without an election if the person is the only candidate to qualify in an election to be held for that office, for an office of a political subdivision for which this constitution requires an election.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Requires the ballot to be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office."

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 7, 2003**

**TO:** Honorable Bill Ratliff, Chair, Senate Committee on State Affairs

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HJR59** by Uresti (Proposing a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.), **As Engrossed**

**No fiscal implication to the State is anticipated**, other than the cost of publication.

The cost to the state for publication of the resolution is \$85,275.

This bill proposes a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated. Denton county reported that there would be minimal savings to local election offices for printing and programming costs due to smaller ballots. Larger savings could be possible if a county were to cancel an entire election, but this occurrence is extremely rare. Fort Bend County reported that municipalities, school districts, and other local governmental entities in that county commonly cancel their elections if there are no contested races. Bexar and Victoria counties reported no significant fiscal impact.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JK, RR, GO, JF, KG

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

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**TO:** Honorable Mary Denny, Chair, House Committee on Elections

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FLOOR AMENDMENT NO. 1

BY: Vance Pugh

- 1 Amend H.J.R. No. 59 in SECTION 2 of the joint resolution  
2 (Senate committee printing, page 1, line 20), by striking "November  
3 4" and substituting "September 13".

**ADOPTED**

MAY 23 2003

*Atty Gen*  
Secretary of the Senate

# SENATE AMENDMENTS

03 MAY 23 PM 6: 52  
HOUSE OF REPRESENTATIVES

2<sup>nd</sup> Printing

By: Uresti

H.J.R. No. 59

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Secretary of the Senate

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F

# ENROLLED

H.J.R. No. 59

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H.J.R. No. 59

---

President of the Senate

---

Speaker of the House

I certify that H.J.R. No. 59 was passed by the House on May 1, 2003, by the following vote: Yeas 141, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.J.R. No. 59 on May 24, 2003, by the following vote: Yeas 124, Nays 3, 1 present, not voting.

---

Chief Clerk of the House

H.J.R. No. 59

I certify that H.J.R. No. 59 was passed by the Senate, with amendments, on May 23, 2003, by the following vote: Yeas 28, Nays 2.

---

Secretary of the Senate

RECEIVED:

---

Date

---

Secretary of State



\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.J.R. No. 59  
(1)  
on May 1  
(2), 2003, by the following vote:  
Yeas 141, Nays 0, 2 present, not voting;  
(3) (4)  
and that the House concurred in Senate amendments to H.J.R. No. 59  
on May 24  
(5), 2003, by the following  
vote: Yeas 124, Nays 3, 1 present, not voting.  
(6) (7)

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: CT19;

I certify that H.J.R. No. 59  
(1)  
amendments, on May 23  
(2), 2003, by the following  
vote: Yeas 28, Nays 2.  
(3) (4)

\_\_\_\_\_  
Secretary of the Senate

RECEIVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary of State

\*\*\*\* Preparation: CT20;

78TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form  
in lieu of the front or the back of the original bill)

Bill or Resolution Number: HJR 59

[Signature]  
signature of **primary** author

Carlos Uresti  
printed name of **primary** author

2-26-03  
Date

PERMISSION TO SIGN HJR 59 HAS BEEN GIVEN TO (check only one of the following):  
(bill or resolution #)

☒ ALL REPRESENTATIVES  
☐ THE FOLLOWING REPRESENTATIVE(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2115 Allen</u>	<u>        </u> Date	<u>A2450 Cook, Byron</u>	<u>        </u> Date	<u>A2795 Farabee</u>	<u>        </u> Date
<u>A2125 Alonzo</u>	<u>        </u> Date	<u>A2565 Cook, Robert "Robby"</u>	<u>        </u> Date	<u>A2810 Farrar</u>	<u>        </u> Date
<u>A2160 Bailey</u>	<u>        </u> Date	<u>A2595 Corte</u>	<u>        </u> Date	<u>A2840 Flores</u>	<u>        </u> Date
<u>A2170 Baxter</u>	<u>        </u> Date	<u>A2605 Crabb</u>	<u>        </u> Date	<u>A2850 Flynn</u>	<u>        </u> Date
<u>A2205 Berman</u>	<u>        </u> Date	<u>A2610 Craddick</u>	<u>        </u> Date	<u>A2920 Gallego</u>	<u>        </u> Date
<u>A2230 Bohac</u>	<u>        </u> Date	<u>A2640 Crownover</u>	<u>        </u> Date	<u>A2925 Garza</u>	<u>        </u> Date
<u>A2250 Bonnen</u>	<u>        </u> Date	<u>A2620 Davis, John</u>	<u>        </u> Date	<u>A2960 Gattis</u>	<u>        </u> Date
<u>A2280 Branch</u>	<u>        </u> Date	<u>A2625 Davis, Yvonne</u>	<u>        </u> Date	<u>A2945 Geren</u>	<u>        </u> Date
<u>A2265 Brown, Betty</u>	<u>        </u> Date	<u>A2635 Dawson</u>	<u>        </u> Date	<u>A2935 Giddings</u>	<u>        </u> Date
<u>A2270 Brown, Fred</u>	<u>        </u> Date	<u>A2680 Delisi</u>	<u>        </u> Date	<u>A2985 Goodman</u>	<u>        </u> Date
<u>A2255 Burnam</u>	<u>        </u> Date	<u>A3385 Denny</u>	<u>        </u> Date	<u>A2990 Goolsby</u>	<u>        </u> Date
<u>A2295 Callegari</u>	<u>        </u> Date	<u>A2690 Deshotel</u>	<u>        </u> Date	<u>A3010 Griggs</u>	<u>        </u> Date
<u>A2290 Campbell</u>	<u>        </u> Date	<u>A2705 Driver</u>	<u>        </u> Date	<u>A3020 Grusendorf</u>	<u>        </u> Date
<u>A2350 Canales</u>	<u>        </u> Date	<u>A2665 Dukes</u>	<u>        </u> Date	<u>A3045 Guillen</u>	<u>        </u> Date
<u>A2300 Capelo</u>	<u>        </u> Date	<u>A2660 Dunnam</u>	<u>        </u> Date	<u>A3030 Gutierrez</u>	<u>        </u> Date
<u>A2490 Casteel</u>	<u>        </u> Date	<u>A2650 Dutton</u>	<u>        </u> Date	<u>A3035 Haggerty</u>	<u>        </u> Date
<u>A2495 Castro</u>	<u>        </u> Date	<u>A2770 Edwards</u>	<u>        </u> Date	<u>A3050 Hamilton</u>	<u>        </u> Date
<u>A2585 Chavez</u>	<u>        </u> Date	<u>A2775 Eiland</u>	<u>        </u> Date	<u>A2695 Hamric</u>	<u>        </u> Date
<u>A2480 Chisum</u>	<u>        </u> Date	<u>A2780 Eissler</u>	<u>        </u> Date	<u>A3160 Hardcastle</u>	<u>        </u> Date
<u>A2525 Christian</u>	<u>        </u> Date	<u>A2785 Elkins</u>	<u>        </u> Date	<u>A3165 Harper-Brown</u>	<u>        </u> Date
<u>A2435 Coleman</u>	<u>        </u> Date	<u>A2790 Ellis</u>	<u>        </u> Date	<u>A3170 Hartnett</u>	<u>        </u> Date

A3180 Heflin	Date	A3715 Madden	Date	A4220 Riddle	Date
A3190 Hegar	Date	A3750 Marchant	Date	A4250 Ritter	Date
A3250 Hilderbran	Date	A2835 Martinez Fischer	Date	A4270 Rodriguez	Date
A3275 Hill	Date	A3665 McCall	Date	A4350 Rose	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4420 Seaman	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4525 Smith, Todd	Date
A3325 Homer	Date	A3830 Menendez	Date	A4540 Smith, Wayne	Date
A3320 Hope	Date	A3815 Mercer	Date	A4530 Smithee	Date
A3330 Hopson	Date	A3840 Merritt	Date	A4550 Solis	Date
A3315 Howard	Date	A3835 Miller	Date	A4505 Solomons	Date
A3340 Hughes	Date	A3855 Moreno, Joe	Date	A4560 Stick	Date
A3355 Hunter	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3360 Hupp	Date	A3870 Morrison	Date	A4585 Talton	Date
A3375 Isett	Date	A3865 Mowery	Date	A4600 Taylor	Date
A3405 Jones, Delwin	Date	A3885 Naishtat	Date	A4605 Telford	Date
A3420 Jones, Elizabeth	Date	A3895 Nixon	Date	A4630 Thompson	Date
A3400 Jones, Jesse	Date	A3900 Noriega	Date	A4650 Truitt	Date
A3475 Keel	Date	A3880 Oliveira	Date	A4685 Turner	Date
A3410 Keffer, Bill	Date	A3886 Olivo	Date	A4695 Uresti	Date
A3480 Keffer, Jim	Date	A4100 Paxton	Date	A4700 Van Arsdale	Date
A3470 King	Date	A4140 Pena	Date	A4800 Villarreal	Date
A3495 Kolkhorst	Date	A4160 Phillips	Date	A4995 West	Date
A3485 Krusee	Date	A4180 Pickett	Date	A5000 Wilson	Date
A3450 Kuempel	Date	A4185 Pitts	Date	A5020 Wise	Date
A3510 Laney	Date	A4200 Puente	Date	A5015 Wohlgemuth	Date
A3540 Laubenberg	Date	A4230 Quintanilla	Date	A4980 Wolens	Date
A3605 Lewis	Date	A4240 Rangel	Date	A4985 Wong	Date
A3620 Luna	Date	A4215 Raymond	Date	A5005 Woolley	Date
A3700 Mabry	Date	A4236 Reyna	Date	A5150 Zedler	Date

17th St

**proposing a constitutional amendment authorizing the legislature to permit a person to assume an office of a political subdivision without an election if the person is the only candidate to qualify in an election for that office.**

FEB 26 2003

**Filed with the Chief Clerk**

MAR 05 2003

Read first time and referred to Committee on **Elections**

APR 16 2003

<b>Reported</b>	<b>favorably</b>
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04/17/2003

**Sent to Committee on Calendars**

MAY 01 2003

Read second time (Committee) ( ) and adopted ( ) by a  
record vote of 41 yeas, 0 nays, 2 present, not voting

Read third time (amended) and finally adopted (failed of adoption) by a  
record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

**MAY 02 2003**

**Engrossed**

MAY 02 2003

**Sent to Senate**

Robert Haney  
CHIEF CLERK OF THE HOUSE

**CHIEF CLERK OF THE HOUSE**

**OTHER HOUSE ACTION:**

MAY 02 2003

Received from the House

5-7-03

**Read and referred to Committee on**

# STATE AFFAIRS

MAY 20 2003

**Reported favorably**

**Reported adversely, with favorable Committee Substitute; Committee Substitute read first time**

Ordered not printed

### Laid before the Senate

**MAY 23 2003**

Senate and Constitutional Rules to permit consideration suspended by unanimous consent  
~~yeas,~~ nays)

MAY 23 2003

Read second time, amended, and passed to third reading by (~~unanimous consent~~)  
(a viva voce vote)  
(yeas, nays)

MAY 23 2003

Senate and Constitutional 3 Day Rules suspended by a vote of 29 yeas, 1 nays

MAY 23 2003

Read third time, \_\_\_\_\_, and passed by 28 years, 2 days

May 23, 2003

Returned to the House

*Lataf Saeed*  
SECRETARY OF THE SENATE

SECRETARY OF THE SENATE

**OTHER SENATE ACTION:**

MAY 23 2003

Returned from the Senate (~~amended~~)  
(with amendments)

MAY 24 2003

House concurred in Senate amendments by a (non-record vote)  
(record vote of 124 yeas, 3 nays, 1 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,

Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;

Conference committee report adopted (rejected) by the House by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting

Conference committee report adopted (rejected) by the Senate by a record vote of  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

03 MAY 23 PM 6:52  
HOUSE OF REPRESENTATIVES

03 APR 17 AM 9:04  
HOUSE OF REPRESENTATIVES